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# AARC QUARTERLY

Assassination Archives and Research Center

Spring 1995

## Key Warren Commission Document Released

A key Warren Commission document on Lee Harvey Oswald's trip to Mexico City seven weeks before the assassination of President Kennedy has been released under the JFK Records Act. The document, CD 1359, quotes Fidel Castro as stating that Oswald threatened the life of President Kennedy when he visited the Cuban Embassy in Mexico.

"He (Oswald) stormed into [our] embassy, demanded the visa, and when it was refused to him, headed out saying, 'I'm going to kill Kennedy for this,' " the document quoted Castro as saying.

Warren Commission Document 1359 was released with a number of FBI documents on "Solo," a Bureau operation directed against the Communist Party. The documents show that the information on Castro's remarks came from a Communist Party informant of the New York field office who had just visited Cuba.

In November 1976, at the outset of the investigation of the House Select Committee on Assassinations, the Washington Post ran a front page story based on this document captioned "Oswald Reportedly Told Cubans of Plan to Kill JFK." The Post article quoted "informed sources."



*The Government continues to hand over thousands of pages of JFK Records to the AARC.*

The National Inquirer had published a similar report in 1967 during the Garrison investigation. The Inquirer article was bylined by British freelancer Comer Clark, whose background

***"He stormed into the embassy, demanded the visa, and when it was refused to him, headed out saying 'I'm going to kill Kennedy for this.'"***

included many stories of the sensational bent. The article was supposedly based on an interview Clark had with Castro in Havana, but there is reason to doubt that Clark ever travelled to that city. Nina Gadd, Clark's assistant, told journalist Anthony

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## The President's Column

by Jim Lesar

For longer than I care to remember, the AARC has been promising to launch a quarterly newsletter. The AARC Quarterly will focus primarily on providing detailed and accurate coverage of events of interest to assassination researchers, serving as a kind of historical journal of new developments in this field. I hope that AARC members and the public will find it useful and informative.

The launching of the Quarterly comes at difficult time for the AARC. Its scant financial reserves have dipped to the lowest point since shortly after AARC founder Bud Fensterwald died in 1991. Once again we have to ask the assassination community--with limited financial means --to dig a little deeper and help keep the AARC in existence.

We think the AARC has a track record which deserves your support. The AARC made a substantial contribution to the crafting of the JFK Act, both in testimony to Congressional committees and in informal meetings with Congressional staff. When the House of Representatives held hearings on the implementation of the JFK Act in November 1993, the Washington Post quoted extensively from my remarks regarding the lack of compliance with the law.

More recently, I testified on behalf of the AARC on the definition of "assassination record" before the JFK

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Review Board, urging that the definition be as broad as possible. My statement was quoted extensively in an AP dispatch on the hearing.

We have also been targeting certain documents for public release. For instance, the FBI initially claimed that CD 1359 was exempt from release under the JFK Records Act. AARC protested the withholding in a letter to the JFK Records Review Board. The FBI has now released the document.

The AARC also continues to obtain new records on the Kennedy assassination. As a result of the settlement of a Freedom of Information Act lawsuit brought by an AARC Board member, the AARC now has the approximately 250,000 pages of records which the CIA made available to the House Select Committee on Assassinations. This enormous treasure trove is being augmented almost weekly by new CIA releases. It will soon be augmented by the more than 300,000 pages which the FBI made available to the HSCA. The AARC also continues to obtain other valuable materials from private researchers. Last year Zachary Sklar donated the manuscript and other materials pertaining to Jim Garrison's book "On the Trail of the Assassins."

The AARC needs money to survive; more importantly, it needs money so it can improve its services and make a larger contribution to the important process of identifying and disclosing assassination records. The AARC can also use volunteers for a variety of projects such as indexing, help in putting out the newsletter, and performing research jobs for persons who seek to use the AARC's facilities from afar.

Despite AARC's current financial problems, I believe that with the help of its members it can not only survive but can greatly improve the contribution it is presently making.

## Court Rejects Suit for JFK Autopsy Photos and X-rays

A federal court has rejected a researcher's suit to obtain the JFK autopsy photographs and x-rays under the Freedom of Information Act. The United States District Court in DC held that the materials fell outside the coverage of the Act once they were turned over to the Kennedy family in the mid-1960's.

The suit was brought by author and researcher, D. Mark Katz. He was represented by Public Citizen Litigation Group, a public interest law firm established by Ralph Nader.

The Court also held that even if the photographs and x-rays were covered by the FOIA, they could be withheld under the privacy exemption of the Act. The Court found little public interest in releasing the photographs and x-rays, while finding that the Kennedy family has "a clear privacy interest in preventing the disclosure of both the x-rays and the optical photographs taken during President Kennedy's autopsy."

The Court found that the Kennedy family "had been traumatized by the prior publication of [these materials]."

Assisting the National Archive's defense of the suit were Kennedy family attorney Burke Marshall and Dr. John Lattimer, a urologist and long-time Warren Commission proponent. Marshall's affidavit described the photographs as "graphic and explicit" and stated that prior publication of some of the photos had been "profoundly upsetting" to the Kennedy family.

Marshall did not identify the family members nor offer further details about how and when such materials were seen

by them. No Kennedy family member submitted an affidavit.

Lattimer's affidavit stated that the materials sought by Katz include "many full-color photographs of President Kennedy's body and exploded head" that are far more shocking and lurid than those which have appeared in books and other publications. He opined that the publication of the photographs would have a more "devastating effect" than prior published photographs.

Drs. Cyril Wecht, Randolph Robertson, David Mantik, and Louis Kartsonsis submitted affidavits contending that there is a substantial public interest in the release of the autopsy photos and x-rays.

The photographs and x-rays were in the custody of the Secret Service from November 22, 1963, until April 26, 1965. On April 22, 1965, Senator Robert F. Kennedy wrote to Vice Admiral George C. Burkley, President Kennedy's personal physician, and authorized him to "release to my custody all of the material of President Kennedy, of which you have personal knowledge, and now being held by the Secret Service."

Senator Kennedy also requested Admiral Burkley to "accompany this material personally and turn it over for safekeeping to Mrs. Evelyn Lincoln at the National Archives. (Although Mrs. Lincoln, President Kennedy's personal secretary, occupied a courtesy office there, she was not a Government employee.) On October 31, 1966, the autopsy materials were delivered to the Archives by Prof. Burke Marshall pursuant to a legal document known as the Deed of Gift.

By this instrument the Kennedy family purported to donate various



records, including the photographs and x-rays, to the National Archives pursuant to the Presidential Libraries Act ("PLA"). The Deed of Gift contains restrictions on who may see the x-rays and photographs, and researchers who wish to review them must receive permission from Burke Marshall.

The FOIA covers only "agency records" as defined by the Act. In holding that the photographs and x-rays were not "agency records," the Court emphasized the break in the chain of custody which occurred when Admiral Burkley transferred the records to non-governmental employee Evelyn Lincoln.

The Court held when the Deed of Gift was signed and the records donated, the Archives regained possession of the records, "but only pursuant to the conditions in the Deed."

Katz has filed an appeal.

## Sirhan Attorney Charges Evidence Mishandling

Lawrence Teeter, one of a team of attorneys currently representing Sirhan Sirhan, has charged that several bullets involved in the assassination of Senator Robert F. Kennedy contain grease which could destroy their evidentiary value.

This discovery was made during an examination of the bullets conducted last August by Mr. Lowell Bradford, a recognized firearms examiner retained by Sirhan. According to Teeter, Bradford, who had participated in re-examination of the bullets pursuant to court order in 1975, said that grease had not been present on the bullets when he examined them then.

In his letter to Mr. John Burns, Director of the California State Archives, which has possession of the Sirhan trial exhibits, Teeter stated that Bradford had noted that the markings on the bases of several bullets could not be seen because of the presence

of grease on the bullets.

In order "to preserve the integrity of this crucial evidence and prevent still further damage to the bullets," Teeter requested that Burns' office "immediately identify and remove all grease from the bullets." He also requested that samples of the grease be preserved, and that the bullets be weighed by experts in the presence of Sirhan's defense team.

In addition to this discrepancy, there is another mystifying anomaly regarding Peoples 47, the bullet that struck Kennedy's neck. Both Bradford and Alan Gilmore, another firearms expert who examined the bullets in March 1994, counted six grooves on this bullet during their separate examination of it. This contrasts with the five grooves depicted in the drawing by Los Angeles Coroner Thomas Noguchi and his autopsy report.

## ARRB Set to Adopt Regulations on Release of Records

By Mark S. Zaid, Esq.

On February 8 1995, the Assassination Records Review Board (ARRB) published proposed interpretative regulations in the Federal Register, 60 Fed. Reg. 7506 (1995), along with a notice calling for written comments from the public. The proposed regulations involved one of the most important aspects of the Board's authority: the promulgation of guidance on the interpretation of certain terms defined in the President John F. Kennedy Assassination Records Collection Act (ARCA), 44 U.S.C. § 2107. One term in particular, that of "assassination record", will have a profound affect on the ultimate success

of the Board depending upon how broad a scope is applied.

Under Section 7(i)(2)(A) of the ARCA, the AARB is empowered to decide "whether a record constitutes an assassination record." The legislative history of the ARCA makes it plainly clear that the Board may "issue guidance to assist in articulating the scope or universe of assassination records." S.REP. No. 328, 102d Cong., 2d Sess. 21 (1992). The Congress gave the AARB a wide latitude of authority to determine how far-reaching the scope of the term "assassination record" should be in order to meet its mandate of achieving the fullest possible disclosure to the public of Kennedy assassination records.

The AARB suggested the following be adopted as its primary interpretation of an "assassination record":

### § 1400.1 Interpretation of Assassination Record

(a) An assassination record includes, but is not limited to, all records, public and private, regardless of how labeled or identified, that document, describe, report, analyze, or interpret activities and events that may have led to the assassination of President John F. Kennedy; the assassination itself; and investigations of or inquiries into the assassination.

The AARB's proposed regulations also (a) commented on the sources of assassination records; (b) listed the types of materials that are to be included in the scope of assassination records; (c) required that non-postponed assassination records be released in their entirety; (d) discussed under what conditions copies may be disclosed instead of the originals; (e) created a Catalog of Assassination Records; and (f) other miscellaneous items.

The Board received comments from

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## COLOSIO'S ASSASSINATION: A TALE OF COVERUP, CORRUPTION AND DRUGS

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By Dolia Estévez

WASHINGTON, D.C.--One year after the assassination of Luis Donaldo Colosio, the presidential candidate of the long ruling Institutional Revolutionary Party (PRI) of Mexico, the official investigation into his murder is still at square one.

There is only one difference: the new special prosecutor in charge of the case, Pablo Chapa Bezanilla, now says Colosio was killed by two gunmen, not one lone deranged assassin, as was initially claimed.

The first gunman, 24-years old factory worker Mario Aburto Martínez, was convicted of murder last December and is now serving a 45-year sentence in a high security prison in Mexico City. The second alleged killer, Othon Cortés Vázquez, a 28-year-old former employee of the PRI was arrested in February; he denies the charge.

In the 365 days since Colosio was shot, on March 23, 1994, in Tijuana, Mexico, the three special prosecutors assigned to the case have jumped from one hypothesis to another, opened new lines of investigation and closed others, and taken hundreds of statements and reinterpreted evidence.

Despite all this, the results are grim: one confessed murderer, but without a motive; a second who denies the charges; three held awaiting trial or sentencing; many under suspicion. The Mexican Government's information, when given, has been little and full of discrepancies.

Most worrisome is the wide public perception that President Ernesto Zedillo and his new team of investigators are being forced by domestic and foreign pressures to drop from the investigation former president Carlos Salinas de Gortari and his once

powerful chief of staff, José Córdoba Montoya, who was also in charge of National Security and of the elitist military police unit responsible for Colosio's personal security. The former president was so dependent on Córdoba's advice that the *New York Times* once described him as Salinas' "alter ego".

In the hours before and after the killing, the second gunman, Cortés Vázquez, a dark-haired man who appears in a series of photographs taken at the site of crime, was seen in the company of Domiro García Reyes, the army general who headed Colosio's official security. García Reyes, who was a ranking member of Córdoba's special unit, has been called for interrogation, but not charged.

Sources in Washington believe that Zedillo was asked by the White House to avoid any further scandals around Salinas that may give additional ammunition to the Congressional opponents of President Clinton's 20 billion dollar Mexican bail out.

Throughout his six years in office, Salinas was promoted by Washington as "the model" to be followed by other developing nations seeking free trade and investments. He was, until recently, the Clinton Administration's candidate to head the new World Trade Organization. Should Salinas be found to be involved in the plot, and/or the cover up, this would not only be an embarrassment to Washington, but would also damage Clinton's international reputation and add to his list of problems as he seeks reelection.

The following are some of most significant facts and omissions surrounding the investigation.

On February 24, Attorney General Antonio Lozano, the first member of an opposition party ever to be named to a Cabinet position in the 66 years of uninterrupted PRI rule, opened a new chapter in the investigation when he

announced that two gunmen were involved in the slaying and that a "coverup" clearly occurred under President Salinas who ended his six year term on December 1, 1994.

Lozano's new claims marked a complete reversal from the previous government's insistence that Colosio was killed by a lone assassin. His announcement strongly suggested that officials in the Salinas administration botched the investigation during the last year. According to the new Attorney General, evidence was manipulated, important witnesses' testimony was ignored, and key suspects were allowed to walk free.

Also on Feb 24, police arrested Fernando de la Sota, head of a undercover security unit working for Colosio's campaign, on charges of having lied about evidence gathered at the crime scene. He is suspected of mishandling a key piece of evidence -- a bullet found at the assassination site. He was later released.

According to Lozano, investigators failed to note that a bullet found where Colosio's body fell was made of lead, whereas the bullet fired into Colosio's head was made of a copper compound.

Tests showed that the lead bullet had been fired directly into the ground, apparently after Colosio's body was removed from the scene. Lozano indicated that the intention was to end any speculation that a second gunman was involved. The actual bullet fired into Colosio's abdomen exited his body and was never found.

"The bullet was planted at the scene... and imprecisely placed among pools of blood," said Lozano in a press conference held on Feb. 24. "The murder was the result of action by various individuals," Lozano said, adding that a new piece of videotape evidence "clearly shows collusion between several people" in the killing. Lozano suggested a conspiracy,



although he did not use such word, nor did he reveal names of individuals or groups that might have directed it.

Mexican public opinion, however, pointed to the Salinas Administration for its clear failure to make public and follow up on leads indicating a broader plot involving long-standing connections between Mexican politicians and drug lords.

One of the leads that the investigators appointed by Salinas turned down were the explosive statements by Eduardo Valle, a former drug advisor to Salinas' third and fourth Attorney Generals (there were a total of five), who charged that powerful PRI "narcopoliticians" were behind the plot to kill Colosio.

Valle, who now lives in Alexandria, Virginia, in a self-imposed exile, resigned May 1994 out of frustration, calling Mexico a "narcodemocracy." He said there was an absolute lack of interest in arresting alleged cocaine trafficker Juan García Abrego, the head of the Gulf Cartel. On March 9, 1995, the FBI placed García Abrego on its "most wanted" list. García Abrego, who was indicted in September 1993 by the Southern District of Texas on cocaine charges, is believed by Valle to have some of Colosio's killers on his payroll. The Justice Department was quick to discourage suggestions that García Abrego's placement on the "most wanted" list was related to the Mexican investigation.

On August 25, 1994, after Valle's statement created enough of a political uproar, the Mexican Attorney General's office sent a team of lawyers to Washington to take Valle's deposition, held at the Mexican Consulate. On September 1, less than a week later, then Special Prosecutor, Olga Islas, ruled that Valle had not provided one single new lead, despite 9 hours of interrogation and piles of documents which he disclosed. She ordered the case closed. Valle charged that the Salinas Administration was determined

to cover-up the drug trace in the Colosio murder.

The other crucial fact that the Salinas appointed investigators ignored, which also pointed toward the drug connection in the Colosio murder, was the assassination of Tijuana's chief of public security José Federico Benítez on April 28, 1994.

In an interview with *The Washington Post*, 24 hours before his murder, Benítez had said that he was conducting an investigation of Colosio's killing "independent" of the official one directed by the Attorney General's office. Benítez charged that his files on the case were tampered with and that some material had been stolen.

Benítez, an anti-corruption crusader who in 16 months had purged nearly 850 officers from the 2,100-member municipal police force, died less than an hour after unidentified gunmen armed with assault rifles ambushed his official pickup truck on a Tijuana street.

Benítez provoked a wide controversy shortly after Colosio's death when he told a reporter that evidence had surfaced suggesting that at least two gunmen were involved in the assassination. It is believed that Benítez knew some of the individuals at the scene of the crime who assisted in allowing the first gunman get close to Colosio. He had said that 16 were former local police officers "who were not known for their honesty or professional integrity."

But the attorney general office's did not bother to open a new line of investigation to determine if Benítez's killing was linked to Colosio's.

Lozano's February revelations triggered calls by opposition members of Mexico's Congress to investigate Salinas and Córdoba, who is still on the Mexican government payroll as Mexico's representative to the Inter-American Development Bank. He currently lives in Washington, D.C.

But, on March 23, Lozano marked the first anniversary of Colosio's assassination by announcing that all prominent politicians were exonerated from the plot.

Lozano, who takes his orders directly from President Zedillo, did not talk about the progress made to determine the identity of the "intellectual authors," nor did he mention the possible motives they might have had. He did not reveal evidence leading to the arrest of the alleged second gunman, Cortés Vázquez, or whether there is any link between him and convicted gunman, Aburto Martínez.

Analysts believe that Lozano's insistence on excluding all "prominent politicians" from the crime plot, despite his own admission that it is still an ongoing investigation, is part of a deal between Salinas and Zedillo.

After Zedillo authorized the arrest of Raúl Salinas de Gortari, the eldest brother of the former president, charged with masterminding the September 28, 1994, assassination of José Francisco Ruiz Massieu, the No. 2 man in the PRI, Salinas responded hysterically. There were at the time reports, never confirmed, that the Attorney General's office had also issued an arrest warrant for ex-president Salinas, but that it was "vetoed" by Zedillo. Salinas responded by going on a hunger strike and publically demanding, by calling radio talks and television news programs, that his name be cleared from any suggestions that he covered up the Colosio investigation.

He got his way. The government said that Salinas was not under suspicion. Salinas' two special prosecutors were asked to make public statements clearing his name from any wrongdoing in the investigation. On March 11, Salinas left Mexico in what was described as a "golden political exile" in the United States.

\* Dolia Estévez, is the Washington correspondent for EL FINANCIERO, a Mexican independent daily.



a broad spectrum of the research community. Many of the comments were quite favorable to the proposed regulations. Other commentators, including this correspondent, offered specific amendments and suggestions.

On March 7, 1995, the Board held a public meeting in Washington, D.C. at the National Archives primarily to receive testimony on the proposed regulations. The Board received testimony from Sheryl Walter, the AARB General Counsel; William Baugh and Terence O'Connor, Federal Bureau of Investigation; this correspondent; James Lesar, President of the AARC; John Judge and Joseph Backes.

The ultimate success of the Board rests more with the manner in which the Board applies its proposed definition of "assassination record" than with the regulation itself. However, the broader the written guidance is, the more likely full disclosure will occur. With this in mind, the following definition of "assassination record" was proposed at the hearing by this correspondent and Charles Sanders, an attorney in New York, to replace that originally suggested by the Board. Those words to be deleted are indicated as bold, while those to be added are in italics.

**"§ 1400.1 Interpretation [Scope] of Assassination Record**

(a) An assassination record includes, but is not limited to, all records, public and private, regardless of how labeled or identified, that document, describe, report *[interpret]*, analyze, or interpret *[report on]* activities, and events *[or persons]* that may have led *[reasonably relate]* to the assassination of President John F. Kennedy; the assassination itself *[its surrounding history]*; and investigations of or inquiries into the assassination."

The term "persons" should be included in the definition, since many

records discuss, report on, etc., specific individuals and their relation to the assassination. In some cases, personal records, such as CIA 201 files, or other records pertaining to individuals would unequivocally merit inclusion as an assassination record, although by the very face of the document that conclusion may not be openly apparent. In order to ensure that documents in the latter category are included within the collection, the Board must, as it has already clearly acknowledged, seek the cooperation and insight of the research community.

The imposition of the standard "may have led to" may unintentionally restrict the scope of the definition and cause the exclusion of pertinent documents.

James Lesar and other commentators argued that this definition will give the agencies too much leeway in deciding whether a particular record falls under the Act. For instance, if an agency official takes the view that Oswald acted alone, he or she will have a narrow focus on what material reflects events that may have led to the JFK assassination.

Lesar and others argued that the words "shed light on" should replace "may have led to." This correspondent and Charles Sanders suggested that the standard "*reasonably relate to*" be used as an alternative. In the end, use of the Review Board, Lesar, or our standard may well lead to the inclusion of the same documents. However, application of our suggested standard, by its very language, would tend to permit the Board additional flexibility in arriving at its decisions. "[M]ay have led to" would seem to create a condition precedent, while "reasonably relate to" would signify a relation in a more generic sense.

Finally, while it is recognized that the Board has attempted to chronologize the concluding clause into a past (pre-assassination), present (assassination), future (post-assassination) context, a simplification of this clause into three

significant areas is suggested. First, those records that reasonably relate to the assassination of President Kennedy. This would include records specifically concerning the assassination itself or records created prior to or subsequent to the event. Second, use of the term "surrounding history" in the regulations would comport with the language used both in the governing Act and its legislative history. It would also allow for inclusion of documents that discuss events not directly associated with the assassination itself (Bay of Pigs invasion) but which have historically been thought of as relevant. Third, clearly all studies of the assassination, whether conducted on the local, state or federal level, and whether or not the investigation was sanctioned by the federal government, should be included in this final area.

On May 3, 1995, the AARB will meet to discuss and vote on the final interpretative guidelines.

## Cuban Official Plans Expanded Report

by Eric Hamburg\*

Gen. Fabian Escalante of Cuba's Interior Ministry is planning to publish a more complete report of his investigation into the assassination of President Kennedy. His expanded report will reportedly include documents from Cuban files to support his findings.

Escalante's investigation thus far has been based on Cuba's files from the early 1960s on the plots against Fidel Castro, and other material, including U.S. literature on the subject. Some of his findings have already been published in the book "ZR Rifle: The Plot to Kill Kennedy and Castro" by Claudia Furiati, which was published in 1994 by Ocean Press.

\* Former aide to Cong. Lee Hamilton now co-producing *Nixon* by Oliver Stone.



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Summers that she had generated the article based on information furnished by a Latin American Foreign Minister.

Those knowledgeable with the curious history of this story have long suspected that the FBI's source for CD 1359 was Morris Childs, one of two brothers serving as FBI informants in the Communist Party. The document refers to the informant only by informant symbol number, NY-694S. According to former FBI agent William Hosty, who was assigned to investigate Oswald prior to the assassination, Childs traveled to Cuba in the Spring of 1964 and spoke with Fidel Castro.

The House Select Committee on Assassinations questioned Fidel Castro about the Inquirer article. Castro denied ever having been interviewed by Clark and stated that Cuban officials would have been morally obligated to report such a threat had Oswald made it in their presence.

It is unclear whether the HSCA ever examined CD 1359. FBI records show that when the Committee first requested the document, the FBI refused. It is not known whether the document was obtained later in the Committee's investigation.

The HSCA Report states that "despite the Committee's doubts about the Clark interview with Castro, it was informed that the substance of it had been independently reported to the U.S. Government."

The report continued: "A highly confidential but reliable source reported that Oswald had indeed vowed in the presence of Cuban Consulate officials to assassinate the President."

The HSCA report almost certainly refers to CD 1359. The Committee chose to discount the Clark article and the document in concluding:

"On balance, the Committee did not believe that Oswald voiced a threat to Cuban officials. However reliable the confidential source may be, the Committee found it to be in error in this instance."

The Committee's Chief Counsel reached the opposite conclusion. In his book, The Plot to Kill the President, G. Robert Blakey, and his co-author, Richard Billings, chose to credit the reports that Oswald had voiced a threat against Kennedy at the Cuban Embassy. CD 1359 was also given serious treatment in Daniel Schorr's book, Clearing the Air, and Jean Davidson's pro-Warren Commission work, Oswald's Game.

Lee Harvey Oswald was not known to have any animosity towards President Kennedy. This document may well have been the Warren Commission's only evidence that Oswald had spoken of killing President Kennedy prior to the assassination. The document is not referred to in the Warren Report and it is not known what role, if any, it played in the Commission's deliberations.

In a follow-up report the FBI field office in New York provided additional information from NY 694S. The informant stated that Castro was in a very good mood and not under the influence of alcohol when he made the statement. Although Castro spoke in broken English, the informant was certain of Castro's remarks, having taken notes at the time the Cuban leader was speaking.

The informant also expressed his opinion as to why Oswald threatened President Kennedy when he was denied the visa.

"NY-694S is of the opinion that the Cuban Embassy people must have told Oswald something to the effect that they were sorry that they did not let Americans into Cuba because the US Government stopped Cuba from letting them in and that is when Oswald shouted out the statement about killing President Kennedy," the report stated.

The informant also reported that Castro showed no elation over the assassination and spoke on the topic "in a very serious manner." The informant was passing on the information because it bore on the question of Oswald's guilt and whether there was a conspiracy. It was the informant's opinion that Castro had nothing to do with the assassination.

According to the informant, Castro firmly believed there was a conspiracy. He allegedly told the informant: "It took about three people" to do the shooting. Castro's opinion was based on tests which he and his men conducted "under similar conditions with a similar rifle and telescopic sight," according to CD 1359.

"Castro is said to have expressed the conclusion that Oswald could not have fired three times in succession and hit the target with a telescopic sight in the available time," CD 1359 states.

CD 1359 quotes Castro as stating that his information came from "our people in Mexico," presumably the Cuban Embassy there. Further complicating the picture is that two Cuban Embassy employees testified before the HSCA that the individual who appeared at the Cuban Embassy identifying himself as Oswald was not the person who was arrested in Dallas.

About a week prior to Oswald's alleged visits to the Cuban Embassy in Mexico City, three individuals visited the apartment of Cuban emigree, Sylvia Odio, in Dallas. According to Odio, they claimed to be members of the anti-Castro group, Junta Revolucionaria (JURE) and wanted her help in translating some fund raising letters. Odio told the Warren Commission that the non-Hispanic man accompanying the two Latinos was Lee Oswald. Within 48 hours after the visit, one of the Latinos called Odio and stated that "Oswald" had expressed the view that the "Cubans don't have any guts" and "should have shot President Kennedy after the Bay of Pigs."

The full text of CD 1359 is provided on the next page. A highly redacted version of CD 1359 was released in 1975. The new material is in italics.



Commission No. 1359

UNITED STATES DEPARTMENT  
OF JUSTICE  
FEDERAL BUREAU OF  
INVESTIGATION

WASHINGTON 25, D. C.

JUNE 17, 1964

BY COURIER SERVICE

Honorable J. Lee Rankin  
General Counsel  
The President's Commission  
200 Maryland Avenue, Northeast  
Washington, D. C.

Dear Mr. Rankin:

Through a confidential source which has furnished reliable information in the past, we have been advised of some statements made by Fidel Castro, Cuban Prime Minister, concerning the assassination of President Kennedy.

In connection with these statements of Castro, your attention is called to the speech made by Castro on November 27, 1963, in Havana, Cuba, during which Castro made similar statements concerning this matter. The pertinent portions of this speech are set out in the report of Special Agent James J. O'Connor dated May 8, 1964, at Miami, Florida, beginning on page 30.

According to our source, Castro recently is reported to have said, "Our people in Mexico gave us the details in a full report of how he (Oswald) acted when he came to Mexico to their embassy (uncertain whether he means Cuban or Russian Embassy)." Castro further related, "First of all, nobody ever goes that way for a visa. Second, it costs money to go that distance. He (Oswald) stormed into the embassy, demanded the visa, and when it was refused to him, headed out saying, 'I'm going to kill Kennedy for this.'" Castro

is alleged to have continued and asked, "What is your government doing to catch the other assassins?" and speculated, "It took about three people."

The source then advised that Castro's speculation was based on tests which Castro and his men allegedly made under similar conditions with a similar rifle and telescopic sight. Castro is said to have expressed the conclusion that Oswald could not have fired three times in succession and hit the target with the telescopic sight in the available time, that he would have needed two other men in order for the three shots to have been fired in the time interval. The source commented that on the basis of Castro's remarks, it was clear that his beliefs were based on theory as a result of Cuban experiments and not on any firsthand information in Castro's possession. In this connection, it should be noted that the FBI Laboratory firearms experts made tests and determined that three shots could be fired with the kind of rifle and sight used by Oswald in the five to six seconds which were available. The Laboratory noted, however, that the timing did not begin until after the firing of the first shot.

It will be noted that the information furnished by our source at this time as having come from Castro is consistent with and substantially the same as that which appears in Castro's speech of November 27, 1963, and which is referred to above.

This additional material is set forth for the Commission's information and no further action is contemplated by this Bureau concerning it.

Sincerely yours,

//J. Edgar Hoover//

## The New AARC

Visitors to the AARC who have remarked on the condition of its premises will be pleased to learn that over the Christmas holidays the AARC's suite of rooms was renovated. The carpets were stripped from the floors, the walls repainted, and the file room organized to provide a roomier place with a desk for researchers to work at. The AARC will still strike most as overflowing with documents and books, but at least it will be brighter, cleaner and roomier. To this we all owe thanks to the dedication and hard work of Kevin Walsh.

## Filing Cabinets Urgently Needed

AARC is urgently in need of sturdy file cabinets. More material is arriving all the time. If you can help on this, please contact us. The fair market value of all donations is tax deductible.

## Call for Local Volunteers

AARC has begun organizing our friends in the DC area to join us on the first Saturday of each month from 10 AM to 4 PM. We will be doing everything from vacuuming and cleaning to organizing the library and indexing the new files. If you are able to help out, please call Linda Hansen, Volunteer Coordinator, at (703)521-4595.

## "Solo" and Giancana Documents Available

AARC now has copies of the recently released documents on Operation "Solo" and organized crime figures Sam Giancana and Gus Alex. Write the AARC for copies. Price is 10 cents a page for members and 15 cents for non-members.